

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILLY MPIIMA,

Defendant.

CASE NO. 2:22-cr-00210-LK

ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL
AND PRETRIAL MOTIONS
DEADLINE

This matter comes before the Court on Defendant Philly Mpiima's Unopposed Motion to Continue Trial and Pretrial Motions Deadline. Dkt. No. 16. Mr. Mpiima seeks to continue the trial date from February 13, 2023 to April 24, 2023. *Id.* at 1. The Government does not oppose the motion. *Id.*

Mr. Mpiima is charged with one count of Conspiracy to Distribute Controlled Substances in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846; two counts of Distribution of a Controlled Substance in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C); and one count of Possession of a Controlled Substance with Intent to Distribute in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C). Dkt. No. 3 at 1–3.

ORDER GRANTING UNOPPOSED MOTION TO CONTINUE TRIAL AND PRETRIAL MOTIONS DEADLINE

1 Mr. Mpiima requests a new trial date of April 24, 2023 based on the volume and recency
2 of discovery produced in this case: the Government made a “large production” of discovery within
3 the last week, “in addition to the approximately 7500 documents produced to the defense on
4 December 21, 2022.” Dkt. No. 16 at 2. And “[g]iven the uniquely large production of data
5 associated with this case, the defense team will need additional time to review the production and
6 to determine whether an expert opinion is necessary prior to researching and investigating
7 substantive pretrial motions or trial defenses.” *Id.* Mr. Mpiima has waived his right to a speedy
8 trial through May 8, 2023. Dkt. No. 17.

9 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by
10 granting a continuance outweigh the best interest of the public and Mr. Mpiima in any speedier
11 trial. Specifically, the Court finds that failure to grant the requested continuance would likely result
12 in a miscarriage of justice and would deny defense counsel the reasonable time necessary for
13 effective preparation, taking into account the exercise of due diligence, due to counsel’s need for
14 more time to review the evidence, consider possible defenses, and gather evidence material to the
15 defense. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv). The Court finds that the additional time requested
16 is a reasonable period of delay and will be necessary to provide counsel and Mr. Mpiima
17 reasonable time to accomplish the above tasks.

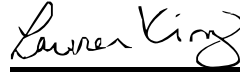
18 For these reasons, the Court GRANTS the motion, Dkt. No. 16, and ORDERS that the trial
19 date shall be continued from February 13, 2023 to April 24, 2023. It is further ORDERED that,
20 pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B), the period of delay from the original February 13,
21 2023 trial date to the new trial date is EXCLUDED when computing the time within which
22 Defendant’s trial must commence under the Speedy Trial Act. Pretrial motions are due no later

23 //

24 //

1 than March 13, 2023.

2 Dated this 29th day of December, 2022.

3 

4 Lauren King
5 United States District Judge
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24